

ARNOLD & PORTER LLP



Thomas E. Holsten
Thomas.Holsten@aporter.com

202.942.5085
202.942.5999 Fax

555 Twelfth Street, NW
Washington, DC 20004-1206

February 24, 2006

Mail Stop PGPUB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Conf. No. 6793

Art Unit: 1634

Examiner: S.L. Bausch

Re: U.S. Application No. 09/912,968 filed July 25, 2001
Title: A Method for Assessing Transgene Expression and Copy Number
Applicants: Stanton B. DOTSON *et al.*
Atty. Docket: 16517.275

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. Request to Rescind Prior Request and Certification under 37 C.F.R. § 1.213(b); and
2. Return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 16517.275. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)
David R. Marsh (Reg. No. 41,408)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Stanton B. DOTSON *et al.*

Appln. No.: 09/912,968

Filed: July 25, 2001

For: A Method for Assessing Transgene Expression and Copy Number



Conf. No. 6793

Art Unit: 1634

Examiner: Sarae L. Bausch

Atty. Docket: 16517.275

**Request to Rescind Prior Request and Certification
Under 37 C.F.R. § 1.213(b)**

Mail Stop PGPUB

Commissioner for Patents

P.O. Box 1405

Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the Request for Non-Publication and Certification Under 35 U.S.C. § 122(b) filed on July 25, 2001, in the above-captioned U.S. application be rescinded in accordance with 37 C.F.R. § 1.213(b).

On July 25, 2001, the above-captioned U.S. application was filed with a Request for Non-Publication, which contained a certification under 35 U.S.C. § 122(b)(2)(B)(i), including a statement that the invention "has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing." (Request attached hereto as Exhibit A).

Applicants wish to rescind the request for non-publication filed on July 25, 2001, for the above-captioned U.S. application.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)

David R. Marsh (Reg. No. 41,408)

Date: February 24, 2006

Of Counsel:

Lawrence M. Lavin, Jr. (Reg. No. 30,768)

Thomas E. Kelley (Reg. No. 29,938)

Monsanto Company

ARNOLD & PORTER LLP

555 Twelfth Street, NW

Washington, DC 20004-2402

(202) 942-5000 telephone

(202) 942-5999 facsimile

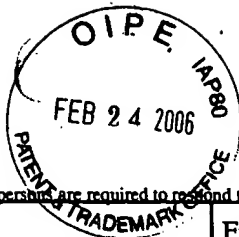
Correspondence Address:

Monsanto Company

Patent Department, E2NA

800 N. Lindbergh Boulevard

St. Louis, Missouri 63167



PTO/SB/35 (11-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Stanton B. Dotson
Title	A Method For Assessing Transgene Expression and Copy Number
Attorney Docket No.	38-21(51862)B

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7/25/01
Date

Signature

LAWRENCE M. LAVIN JR
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending on the needs of the individual cases. Any comments on the amount of time you required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, DC Washington, DC 20231.